

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/GB2004/001237

International filing date (day/month/year)
22.03.2004

Priority date (day/month/year)
21.03.2003

International Patent Classification (IPC) or both national classification and IPC
G09F27/00, G09F19/00

Applicant
I-DARE INNOVATION LIMITED

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☒ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office
D-80298 Munich
Tel. +49 89 2399 - 0 Tx: 523656 epmu d
Fax: +49 89 2399 - 4465

Authorized Officer

Pavlov, V

Telephone No. +49 89 2399-6067



INTERNATIONAL SEARCH REPORT

International Application No

PCT/GB2004/001237

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 G09F27/00 G09F19/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 G09F

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	US 6 084 526 A (BLOTKY RANDOLPH M ET AL) 4 July 2000 (2000-07-04) column 2, line 25 - column 4, line 44; figures 1,2,4	1-11, 16-22, 25-30
Y	US 2001/020935 A1 (GELBMAN ALEXANDER) 13 September 2001 (2001-09-13) page 1, paragraph 10 - page 5, paragraph 37; figures 2-8	1-11, 16-22, 25-30
A	US 6 504 580 B1 (DARBEE PAUL ET AL) 7 January 2003 (2003-01-07) column 4, line 55 - column 5, line 60; figures 1,3 ----- -/--	1-30



Further documents are listed in the continuation of box C.



Patent family members are listed in annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *Z* document member of the same patent family

Date of the actual completion of the international search

4 October 2004

Date of mailing of the international search report

14/10/2004

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax (+31-70) 340-3016

Authorized officer

Pavlov, V

INTERNATIONAL SEARCH REPORT

International Application No
PCT/GB2004/001237

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT		
Category °	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 2002/097195 A1 (FRANK SIDNEY E) 25 July 2002 (2002-07-25) the whole document -----	1-19

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/GB2004/001237

Patent document cited in search report		Publication date		Patent family member(s)	Publication date
US 6084526	A	04-07-2000	JP	2000344244 A	12-12-2000
US 2001020935	A1	13-09-2001	CA	2434683 A1	12-09-2002
			EP	1421574 A1	26-05-2004
			WO	02071382 A1	12-09-2002
			US	2002167500 A1	14-11-2002
			AT	241821 T	15-06-2003
			AU	5917499 A	03-04-2000
			CA	2343775 A1	23-03-2000
			DE	69908381 D1	03-07-2003
			DE	69908381 T2	22-04-2004
			EP	1345116 A1	17-09-2003
			EP	1110138 A1	27-06-2001
			WO	0016189 A1	23-03-2000
US 6504580	B1	07-01-2003	AT	230885 T	15-01-2003
			AU	736704 B2	02-08-2001
			AU	6472298 A	22-10-1998
			CA	2285191 A1	08-10-1998
			CN	1253651 T	17-05-2000
			DE	69810599 D1	13-02-2003
			DE	69810599 T2	20-11-2003
			EP	0972280 A1	19-01-2000
			JP	2001517407 T	02-10-2001
			NZ	338070 A	27-10-2000
			WO	9844477 A1	08-10-1998
			US	6484011 B1	19-11-2002
			AU	733904 B2	31-05-2001
			AU	6582298 A	20-10-1998
			CA	2284834 A1	01-10-1998
			CN	1118746 B	20-08-2003
			EP	0970418 A1	12-01-2000
			JP	2001524283 T	27-11-2001
			NZ	337920 A	23-06-2000
			US	6130726 A	10-10-2000
			WO	9843158 A1	01-10-1998
			US	2002184626 A1	05-12-2002
			US	6278499 B1	21-08-2001
			US	6002450 A	14-12-1999
US 2002097195	A1	25-07-2002	WO	02058043 A1	25-07-2002

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/GB2004/001237

Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
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Box No. II Priority

1. ☒ The following document has not been furnished:

☒ copy of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(a)).

☐ translation of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. Additional observations, if necessary:

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	
	No: Claims	20-22,25-30
Inventive step (IS)	Yes: Claims	
	No: Claims	1-11,16-22,25-30
Industrial applicability (IA)	Yes: Claims	1-30
	No: Claims	

2. Citations and explanations

see separate sheet

Box No. VII Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

see separate sheet

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING
AUTHORITY (SEPARATE SHEET)**

International application No.

PCT/GB2004/001237

Re Item V.

1 The following documents are referred to in this communication:

D1 : US 6 084 526 A (BLOTKY RANDOLPH M ET AL) 4 July 2000 (2000-07-04)

D2 : US 2001/020935 A1 (GELBMAN ALEXANDER) 13 September 2001 (2001-09-13)

2 INDEPENDENT CLAIM 1

2.1 The present application does not meet the criteria of Article 33(1) PCT, because the subject matter of claim 1 does not involve an inventive step in the sense of Article 33(3)PCT.

2.2 Document D1 (see fig. 1, 2, 4 and corresponding description), which is considered to represent the most relevant state of the art to the subject matter of claim 1, discloses (the references in parenthesis applying to this document):

an electronic display device (10) comprising a housing (12); a display screen (26) mounted to the housing (12); data storage means (46) for storing visual content to be displayed; data processing means (44, 48) for driving the display screen; wherein the housing is moulded in the shape of a product offered for disposal at the point of sale.

2.3 The subject-matter of independent claim 1 differs from the disclosure of D1 in that the claimed display device comprises means for securing the device at the point of sale.

2.4 The problem to be solved by the present invention may therefore be regarded as how to provide an electronic display device which can be placed amongst the products discretely, so that it has potential to surprise a consumer.

2.5 An electronic display device (16) comprising means (55) for securing the device at the point of sale is disclosed in document D2 (see fig. 4, 7, 8 and page 2-3, §25). Therefore the features disclosed in D1 and D2 would be combined by the skilled person, without exercise of any inventive skills in order to solve the problem posed. The proposed solution in independent claim 1 thus cannot be considered inventive (Article 33(3) PCT).

3 INDEPENDENT CLAIM 18

- 3.1 The claim describes the use of an electronic display device as advertising accessory, which is attached or incorporated as part of a beverage dispenser. Document D2 (see fig. 4, 7, 8 and page 2-3, §25) discloses an electronic display device (16) which can be attached to an item, product or location for displaying indicia. In order to provide a beverage dispenser according to claim 18 the skilled person would attach the electronic display device from document D2 to a beverage dispenser without exercise of any inventive skills. The subject matter of claim 18 does not involve an inventive step in the sense of Article 33(3)PCT.

4 INDEPENDENT CLAIM 19

- 4.1 The claim describes the use of an electronic display device according to claims 1 - 18 in a product display assembly. For the same reasons, disclosed above the subject matter of claim 19 cannot be considered as involving inventive step in the sense of Article 33(3)PCT.

5 INDEPENDENT CLAIM 20

- 5.1 The claim describes broadly a system for electronic display. Document D2 (see fig. 4, 7, 8 and page 2-3, §25-29) describes a system for electronic display, the system comprising at least one electronic display device (16), each display device having data storage means (28), data processing means (24), a display screen (30), means (55) for securing the device at the point of sale; and a portable data storage device (18) communicable with the electronic display device (16) such that data is transferable between the portable data storage and the display device.
- 5.2 The subject-matter of independent claim 20 differs from the disclosure of D2 in that the electronic display device has a housing. An electronic display device (10) comprising a housing (12) is described in document D1 as providing the same advantages as in the present application.
- 5.3 The features disclosed in D1 and D2 would be combined by the skilled person, without exercise of any inventive skills in order to provide a system according to claim 20. The proposed solution in independent claim 20 thus cannot be considered inventive (Article 33(3) PCT).

6 INDEPENDENT CLAIM 26

- 6.1 The subject-matter of independent claim 26 differs from the subject-matter of independent claim 20 in that the system for electronic display comprises a wireless router for updating the content of the data storage means from a remote server.
- 6.2 Document D2 (see page 4, §35, fig 6) describes a communication between a display device (16) and remote server (70). The use of a wireless router well known in the art and it is merely one of several straightforward possibilities from which the skilled person would select, in accordance with circumstances, without the exercise of inventive skill, in order to provide communication between a remote server and a plurality of electronic display devices. The subject matter of claim 26 therefore does not involve an inventive step in the sense of Article 33(3)PCT.

7 INDEPENDENT CLAIM 29

- 7.1 The claim describes broadly a method of updating an electronic display device from a remote server by means of a wireless router. For the same reasons, disclosed above the subject matter of claim 29 cannot be considered as involving inventive step in the sense of Article 33(3)PCT.

8 DEPENDENT CLAIMS 2-11, 16, 17, 21, 22, 25, 27, 28, 30

Dependent claims 2-11, 16, 17, 21, 22, 25, 27, 28, 30 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step (Article 33(2) and (3) PCT).

- 9 It is not at a present apparent which part of the application could serve as a basis for a new independent claim which meets the requirements of Article 33 (2) and (3) PCT. Should the applicant nevertheless regard some particular matter as new and inventive, an amended set of claims should be filed, defining the relevant subject-matter in terms of one independent claim for each category followed by dependent claims covering features which are merely optional (Rule 6.4 PCT).

Re Item VII.

- 1 To meet the requirements of Rule 6.3(b) PCT, the independent claims should be properly cast in the two part form, with all those features which in combination are part of the prior art being placed in the preamble.
- 2 Reference signs in parentheses should be inserted in the claims to increase their intelligibility (Rule 6.2(b) PCT). This applies to both the preamble and characterising portion of all claims, independent or dependent.
- 3 According to the requirements of Rule 5.1(a)(ii) PCT the documents D1 and D2 should be mentioned in the description and the relevant background art disclosed therein should be briefly discussed.
- 4 The description must be brought into conformity with the claims.
Care should be taken during revision, especially of the introductory portion including any statements of problem or advantage, not to add subject-matter which extends beyond the content of the application as originally filed, Article 34(2)(b) PCT.

Re Item VIII.

- 1 Although claims 1 and 18 have been drafted as separate independent claims, they appear to relate effectively to the same subject-matter and to differ from each other only with regard to the definition of the subject-matter for which protection is sought. The aforementioned claims therefore lack conciseness and as such do not meet the requirements of Article 6 PCT.
- 2 Claims 20 and 26 have been drafted as separate independent claims as well, but they also appear to relate effectively to the same subject-matter and to differ from each other only with regard to the definition of the subject-matter for which protection is sought. The aforementioned claims therefore lack conciseness and as such do not meet the requirements of Article 6 PCT.
- 3 The system claim and the method claim should refer to the apparatus claim 1 in order

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AUTHORITY (SEPARATE SHEET)**

International application No.

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to meet the requirements of Article 6 PCT taken in combination with Rule 13.1 PCT. Attention is drawn to the fact that the independent claims 18, 20, 26 and 29 as drafted, do not relate to claim 1 and appear to describe different inventions. The aforementioned claims therefore do not meet the requirements of Article 6 PCT taken in combination with Rule 13.1 PCT and the application therefore appears to lack unity.

* * *